



PUBLIC INVOLVEMENT PLAN

**FORMER LEWIS CHEMICAL PROPERTY
12-24 FAIRMOUNT COURT
HYDE PARK, MASSACHUSETTS
DEP Site Number: 3-1616**

May 16, 2005

Prepared by:

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On behalf of:

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FIGURE

- 1 Site Map

1.0 INTRODUCTION

Prior to the 1992 amendment to the Massachusetts “Superfund” Law (M.G.L. c. 21E), the Department of Environmental Protection (DEP) was responsible for overseeing remedial response actions at sites where oil or hazardous materials have been released to the environment. Under the 1992 amendments and the 1993 revisions to the Massachusetts Contingency Plan (MCP 310 CMR 40.0000), which established the remedial response action process, response actions at most sites may be handled by private parties. People who are responsible for site cleanups must hire a Licensed Site Professional (LSP), an environmental expert who is licensed by an independent state board, to manage cleanups and provide opinions that site work meets state requirements. Response actions managed by the LSP include: determining the nature, source, and extent of the contamination; identifying risks posed by the site; determining whether cleanup actions are necessary, and if necessary, determining and implementing the most appropriate actions. In addition, the remedial response action process provides opportunities for public involvement throughout the process. The public involvement process is documented in section 40.1400 of the MCP.

On February 2, 2005, thirteen petitioners submitted a petition to the City of Boston, Department of Neighborhood Development (DND) requesting that the former Lewis Chemical site located on Fairmount Court in Hyde Park, Massachusetts be designated as a Public Involvement Plan (PIP) site pursuant to MGL c. 21E and the MCP. DND reviewed the petition, and in accordance with 310 CMR 40.1404(4), designated the former Lewis Chemical as a Public Involvement Plan site.

The City of Boston’s DND has retained Environmental Strategies & Management, Inc. (ES&M) to prepare this Public Involvement Plan for the former Lewis Chemical site. The draft Plan will be reviewed by the public and may be revised based on comments submitted. The final Plan will be implemented by DND in conjunction with the development and implementation of remedial response actions for the disposal site.

This proposed Public Involvement Plan is undertaken to ensure that the public is both informed of and involved in planning for remedial response actions. Section 2.0 of this Plan contains background information on the site; including site, environmental assessment, and public involvement histories. Section 3.0 explains how the remedial response action process addresses community concerns that have been raised during the development of the Plan. Section 4.0 explains the proposed public involvement activities. Section 5.0 presents the anticipated schedule for response actions, through Phase III activities. Section 6.0 outlines the roles and responsibilities of those involved in implementing the Public Involvement Plan. It also explains the procedures DEP will use to address situations in which the agency receives complaints about the manner in which the Plan is being implemented. Section 7.0 describes how the Plan may be revised in the future.

A draft Public Involvement Plan was presented at 6:30pm on April 5, 2005 at the Hyde Park Municipal Building. A twenty day public comment period was held and a

response summary addressing all of the comments received has been prepared and will be sent to those people who submitted comments. The response summary will be placed in the information repositories and the DEP site file and will be noted on the May 16, 2005 Notice of Document Availability being sent to the site mailing list. The comments, where appropriate, have been implemented into the final Public Involvement Plan.

2.0 BACKGROUND

2.1 *Site Description and History*

The site has a history of industrial use, and is the former location of the Lewis Chemical Corporation (Lewis Chemical). The property consists of a vacant mill building situated on approximately 27,182 square feet of land surface on the banks of the Neponset River in Hyde Park, Massachusetts. The site also extends onto property located between the vacant mill building and the Neponset River, which is owned by the Massachusetts Department of Recreation and Conservation (DCR). Surrounding properties are mixed commercial and residential. Active railroad tracks used by Massachusetts Bay Transit Authority (MBTA) commuter rail and associated with the Penn Central Railroad right-of-way are located adjacent to the site towards the northeast. The Neponset River is located to the southeast. A Site Map depicting the subject site is included as Figure 1.

From 1940 until the early 1960s, a leather manufacturing company operated at the property. Lewis Chemical operated at the property from 1963 until 1983. Lewis Chemical was involved in the collection, transportation, storage, and processing of hazardous waste. Numerous violations of Federal, State, and local laws regarding the safe handling, transport, storage, and treatment of hazardous materials were documented. Also documented were complaints from local residents during its time of operation. Lewis Chemical was forced to terminate operations under a Court Order issued by DEP in 1983.

The City of Boston foreclosed on the property on October 18, 2000, due to failure of payment of back taxes.

2.2 *Environmental Assessment*

Several environmental investigations have been conducted at the site. Available reports include "Phase I Preliminary Assessment" completed in 1986 by Wehran Engineering; "Site Report Relative to Hazardous Materials" completed in 1988 by Environmental Impact Services, Inc. (EIS), and "Environmental Assessment" completed in 1991 by HTS Environmental Group. These investigations have identified impacts to soil, groundwater, and surface water at the site from historical uses. In addition, DEP conducted sediment and surface water screening in 1998 that also revealed limited impact to surface water and sediment in the Neponset River.

A Phase I Brownfield site assessment was conducted at the site¹ in 2002 by ES&M under the direction of the Massachusetts Department of Environmental Protection. The historic uses of the site were researched and reported during the Phase I investigation. This information provided valuable insight relative to chemical handling and processing procedures during the Lewis Chemical operation, which extensively involved chlorinated solvents.

The Phase I site assessment included:

- Background research to better understand the types of chemical involved, and how they were stored and processed;
- A detailed site inspection to identify sources of contamination and potential pathways into the environment;
- A geophysical survey to determine the presence of underground features such as tanks and drums;
- A field investigation program, including the installation of soil borings and monitoring wells, and the collection and analysis of soil, groundwater, surface water, and sediment samples to broadly evaluate current environmental conditions across the site; and
- The completion of an Imminent Hazard evaluation to determine if there is an immediate threat to human health or the environment, and if accelerated clean up efforts are warranted.

Summary of Site Assessment Results

- The background research identified the types of chemicals that were present during operation of the facility, and provided details of where chemical processing operations were conducted.
- The site inspection identified a series of floor drains in the basement of the building. These drains provided a pathway for spilled chemicals inside the building to enter the subsurface. The site inspection also identified areas of filling, including possible process waste and construction-related debris.
- The geophysical survey identified two underground storage tanks along with numerous other objects, some of which may be buried drums.
- The field investigation program identified impacted soil and groundwater at several locations at the site, particularly between the building and the Neponset River. The contaminants identified were consistent with the chemicals that Lewis Chemical stored and processed during their operation. The areas of highest impact coincided with the locations of the interior floor drains. The investigation also identified a limited number of locations with elevated concentrations of lead in surficial soil.

¹ At the time of this investigation, the "0" Fairmount Court parcel was not in the control of DND, and was therefore not included in the investigation.

- The sediment and surface water sampling program in the Neponset River identified very low concentrations of contaminants along the shoreline adjacent to the Lewis Chemical building.

2.3 Regulatory Status

The site was first listed by the DEP in 1987, and was issued Release Tracking Number (RTN) 3-1616. Because the previous owners/operators were not in compliance with the regulations, the site is presently classified as default Tier 1D. As described previously, the City of Boston foreclosed on the property on October 18, 2000 due to failure of payment of back taxes. In accordance with Massachusetts General Law Ch. 21E, Section 2 (as amended), the City of Boston is NOT deemed an owner or operator, and is therefore entitled to certain liability protection under the Statute, as well as exemptions under the MCP. As required under the Statute, the City desires to divest itself of the property. Since further investigation of the site is clearly warranted in order to develop future re-use plans, the City has elected to voluntarily conduct further response actions under the MCP. Specifically, the City has acquired grant funds under the USEPA Brownfield program to complete a Phase II assessment.

2.4 Public Involvement History

On February 3, 2005, the City of Boston's Department of Neighborhood Development received a petition dated February 2, 2005 forwarded by thirteen petitioners requesting that the former Lewis Chemical site be designated as a Public Involvement Plan site. In accordance with M.G.L. ch. 21E and the Massachusetts Contingency Plan, (referred to as the MCP), this proposed Public Involvement Plan has been developed to establish public involvement activities at the Site. On March 8, 2005, DND and ES&M conducted interviews with the PIP petitioners to gather their comments and concerns about the site. During the week of March 8, 2005, DND also interviewed municipal officials including members of the Mayor's Office of Neighborhood Service, Boston Public Health Commission, Boston Conservation Commission, and the Office of Boston City Councilor Robert Consalvo. These comments and concerns are summarized in Exhibit I.

3.0 ADDRESSING PUBLIC CONCERNS

The process for assessing and cleaning up disposal sites as set forth in the MCP (310 CMR 40.0000) is designed to address the effects of the site on health, safety, public welfare, and the environment. Once a release of oil or hazardous materials has been confirmed at a disposal site (Phase I of the remedial response action process), sites will be classified as either Tier I or Tier II. All Tier I sites require a permit to proceed with assessment and remediation. Tier I sites will be further divided into three permit categories, Tier IA, IB, or IC. The Lewis Chemical site is in Phase I and will be classified Tier IC. In general, once a site is Tier Classified, the additional steps include:

- ◆ Comprehensive field investigation of the nature and extent of the contamination, and an evaluation of any risks posed to the public and the environment from the site (Phase II);
- ◆ Identification and evaluation of remedial response action alternatives and selection of feasible measures that will achieve a permanent cleanup at the site (Phase III); and
- ◆ Implementation of the selected remedial response actions (Phase IV).

Physical work at the disposal site includes sampling and other environmental field testing, and the implementation of the selected response actions. It may also include the implementation of near or short term measures designed to stabilize conditions at the site, to prevent the continued migration of contaminants or eliminate an imminent threat to public health, safety, welfare, or the environment until planning for remedial response is underway (i.e., Immediate Response Action or "IRA").

At each step of the remedial response action process, plans for work are developed, the work is conducted, and reports describing results and recommendations for the next step are prepared. The documents which describe each of these steps are the cornerstone of the remedial response action planning process, since they provide the information necessary to make decisions about how a site should be cleaned up.

As noted in Exhibit I, the public has raised a number of concerns about the former Lewis Chemical site. The remedial response action planning process is designed to address the concerns about the nature and extent of contamination; risks posed by the site to health, safety, public welfare, and the environment; and the adequacy of proposed cleanup measures. These concerns will primarily be addressed in Phases II and III of this process. For example, the assessment of off-site contamination is considered in Phase II, as is the impact of the disposal site on public health and the environment. Phase III will evaluate options for remedial response actions to provide permanent solutions for the contamination problems at this site.

4.0 PUBLIC INVOLVEMENT ACTIVITIES

In accordance with the MCP (40.1400), activities undertaken to involve the public in response actions serve two purposes:

- ◆ to inform the public about the risks posed by the disposal site, the status of remedial response actions, and the opportunities for public involvement; and
- ◆ to solicit the concerns of the public about the disposal site and remedial response actions so that, to the extent possible, these concerns can be addressed and incorporated in planning remedial response actions.

To meet each of these objectives, DND proposes to undertake specific activities during the remedial response process at the former Lewis Chemical site. These activities are described below.

INFORMING THE PUBLIC:

DND will provide site-specific information to the public by establishing information repositories; developing and maintaining a site mailing list to distribute information about the site; and providing advance notification to local officials and residents about site activities.

4.1 Information Repositories

Publicly Available Site Files: A file on the former Lewis Chemical site is maintained at the Northeast Regional DEP Office. The file contains all documents pertaining to the site with the exception of any enforcement-sensitive material. Appointments to view the site files can be made by contacting:

DEP Northeast Region File Facility
Located in the Department of Transitional Assistance Building
35 Congress Street
Shetland Office Park
Salem, MA 01970
Phone: 978-740-0809
Fax: 978-740-0808
Email: NERO.Service@state.ma.us

Local Information Repository: DND has established and will continue to maintain a local information repository to provide Hyde Park and surrounding area residents with easy access to information about the site cleanup process and results of site investigations. The Hyde Park Branch of the Boston Public Library site information repository will contain a complete copy of the MCP reports and documents that are prepared, including: work plans, sampling and field testing plans, technical reports and documents summarizing results and recommendations; relevant correspondence; press releases; public information materials; the Public Involvement Plan; public meeting summaries and summaries of responses to comments received; and copies of public notices about the disposal site.

The information repository for the former Lewis Chemical site will be located at the Hyde Park Branch of the Boston Public Library:

Hyde Park Branch – Boston Public Library
35 Harvard Ave.
Hyde Park, MA 02136
617-361-2524
Adult Section Librarian: Virginia Lyons

Electronic Information Repository: DND has established and will continue to maintain an electronic information repository on the City of Boston website to provide the public with easy access to information about the site cleanup process and results of site investigations. This electronic information repository will contain draft (when applicable) and finalized versions of the Public Involvement Plan; public notifications, press releases, and legal notices; summaries of responses to comments; and MCP Phase reports. The web address is: http://www.cityofboston.gov/dnd/M_Lewis_PIP.asp.

4.2 Site Mailing List

DND has established a mailing list for the former Lewis Chemical site. The site mailing list includes: petitioners, municipal officials (specifically the Chief Municipal Officer and the Chairperson of the Board of Health), state legislators, and anyone else indicating an interest in receiving information about the site. The mailing list will be used to announce upcoming public meetings, distribute fact sheets, and the availability of documents in the information repository and notices of public comment periods. DND will maintain the mailing list and update it as necessary, and will provide DEP with a copy of the site mailing list.

Anyone wishing to be added to the mailing list can write to:

Scott Shelton
Department of Neighborhood Development
City of Boston
26 Court Street, 9th Floor
Boston, MA 02108
sshelton.dnd@cityofboston.gov

4.3 Notification to Local Officials and Residents of Major Milestones and Events

The MCP requires community notification of major planning and implementation milestones at disposal sites. Major milestones include:

- 1) the purpose, nature, and expected duration of any field work related to Phase IV remedial actions pursuant to 310 CMR 40.0870; the use of respirators and other protective clothing (Level A, B or C as defined by "Standard Operating Safety Guides" published by the U.S. Environmental Protection Agency); or any sampling involving private drinking water supply wells, indoor air or surficial soils at any residential property at, adjacent to, or down-gradient from any contamination or suspected contamination from a release or threat of release.
- 2) The availability of all Completion Statements required for Immediate Response Actions taken to prevent, control, abate or eliminate Imminent Hazards pursuant to 310 CMR 40.0427.
- 3) The implementation of any Release Abatement Measure Plan.

- 4) The availability of the Phase I Initial Site Investigation Report required pursuant to 310 CMR 40.0480, and all subsequent Phase Reports required pursuant to 310 CMR 40.0800.
- 5) The availability of any Response Action Outcome Statements filed pursuant to 310 CMR 40.1000.
- 6) The availability of any Downgradient Property Status Submittal and/or modification of Downgradient Property Status Submittal provided to the DEP pursuant to 310 CMR 40.0180.

Notification List:

Name	Affiliation	Address, Phone, Fax, E-Mail
Stephen Pearlman	Neponset River Watershed Association	490 Chapman Street Suite One B Canton MA 02021 781-575-0354
Carly Rocklen	PIP Petitioner/NRWA	40 Brackett St. Apt. 2 Brighton MA 02135
Barbara Baxter	PIP Petitioner	1003 Hyde Park Ave. Hyde Park, MA 02136
Diana Kelly	PIP Petitioner	11 Grantley St. Hyde Park, MA 02136
Victor Carrara	PIP Petitioner	41 Clifford St. Hyde Park, MA 02136
Robert Vance	PIP Petitioner	98 Warren Ave. Hyde Park, MA 02136
Pat Alvarez	PIP Petitioner	30 Hallron St. Hyde Park MA 02136
Jay Paget	PIP Petitioner	593 Metropolitan St. Hyde Park, MA 02136
M. Pat Tierney	PIP Petitioner	38 Milton Ave. Hyde Park, MA 02136
Clyde Cortwright	PIP Petitioner	18 Elm Street Hyde Park, MA 02136
Stanley Parton	PIP Petitioner	22 Wingate Road Hyde Park, MA 02136
Robert J. Boushell	PIP Petitioner	59 Granite Ave. Dorchester, MA 02124
Thomas Palmer	PIP Petitioner	79 Blue Hill Terrace St. Milton, MA 02186
Stephanie Yesner	PIP Petitioner	26 Mattaceeset St. Mattapan, MA 02126

Name	Affiliation	Address, Phone, Fax, E-Mail
David McNulty	City of Boston Mayor's Office of Neighborhood Services	Room 708, City Hall One City Hall Square Boston, MA 02201 Tel.617-635-3485 Fax.617-635-3498 david.mculty@cityofboston.gov
Jack Tracy	Environmental Health Dept.	Environmental Health Dept. Boston Public Health Comm. 1010 Mass Ave Boston, MA 02118 Tel. Fax.
Chris Busch	City of Boston, The Environment Dept.	Room 805, City Hall One City Hall Square Boston, MA 02201 Tel. 617-635-3850 Fax.617-635-3435 Chris.Busch@cityofboston.gov
Angelo Scaccia	State Representative	Representative Angelo Scaccia Rm. 167 State House Boston, MA 02133 Tel. 617-722-2692 Fax.617-722-2846 Rep.angeloscaccia@hou.state.ma.us
Marian Walsh	Senator	Senator Marian Walsh Rm. 405 State House Boston, MA 02133 Tel. 617-722-1348 Marian.Walsh@state.ma.us
Michael Capuano	Congress	Congressman Michael Capuano 110 First St. Cambridge, MA 02141 Tel.617-621-6208 Fax.617-621-8628
Robert Consalvo	Boston City Councilor	5th Floor 1 City Hall Plaza Boston, MA 02201 Tel. 617-635-4210 Fax.617-635-4203 Rob.Consalvo@ci.boston.ma.us

Name	Affiliation	Address, Phone, Fax, E-Mail
Kathy Castagna	USEPA	USEPA Region1 1 Congress St. Boston, MA 02114-2023 Tel. 617-918-1429 Castagna.kathleen@epa.gov
Cathy Garnett	DCR	Department of Conservation and Recreation 251 Causeway Street, Suite 600 Boston, MA 02114-2104 catherine.garnett@state.ma.us
Karen Stromberg	MA DEP Public Involvement	Karen Stromberg DEP/NERO/BWSC/PS One Winter Street - 7th Floor Boston, MA 02108 Tel. 617-654-6553 Fax.617-654-6685 Karen.Stromberg@state.ma.us
Joanne Fagan	MA DEP Regional Brownfields	One Winter Street Boston, MA 02108 Tel. 617-654-6652 Fax. 617-292-5530 Joanne.fagan@state.ma.us
Barbara J. Salfity	Deputy Director DND-REMS	Real Estate Mgmt. & Sales Div. 26 Court St., 9 th Floor Boston, MA 02108 Tel. 617-635-0398 Fax.617-635-0282 bsalfity.dnd@ci.boston.ma.us
Scott Shelton	Senior Project Manager Environmental DND-REMS	Real Estate Mgmt. & Sales Div. 26 Court St., 9 th Floor Boston, MA 02108 Tel. 617-635-0103 Fax.617-635-0282 sshelton.dnd@cityofboston.gov
Reay Pannesi	Senior Project Manager Real Estate DND-REMS	Real Estate Mgmt. & Sales Div. 26 Court St., 9 th Floor Boston, MA 02108 Tel. 617-635-0567 Fax.617-635-0282 Rpannesi.dnd@ci.boston.ma.us
Douglas Heely	Environmental Consultant, LSP	Environmental Strategies & Mgmt. 184 West Main St. Norton, MA 02766 Tel. 508-285-9700 Fax. 508-285-9957 dheely@esm-inc.com

In addition, the local Fire Department and Police Departments will be notified in situations where public safety is a concern.

4.4 Public Comment Periods

DND will provide specific opportunities for the public to submit comments about documents concerning the site. When key documents are available in draft form, they will be provided to the information repositories, and a notice of their availability will be sent to all people on the mailing list. The notice will include the title of the document, where it is available for review, information about how to submit comments to DND, and the length of the public comment period. DND will determine the length of the comment period, which will typically be 20 calendar days, but may be longer if warranted by the complexity of a particular document or if requested by the public (any public comment period may be extended, if requested by the public, for a minimum of an additional 20 days). Comment periods for Short Term Measures may be reduced or eliminated (with DEP's review and concurrence) if the nature of the imminent hazard dictates that a Short Term Measure be performed immediately. DND will be responsible for providing document copies to the information repositories and to the DEP file, as well as sending out notices of availability of any documents it prepares.

Documents available for public comment will include but not be limited to the following list of documents and any other submittals required under the MCP:

- This Public Involvement Plan;
- Phase I Addendum;
- Phase II Comprehensive Site Assessment Scope of Work;
- Tier Classification and Numerical Ranking System Scoresheet;
- Tier I Permit Application;
- Phase II Comprehensive Site Assessment report;
- Phase III Identification, Evaluation and Selection of Comprehensive Remedial Action Alternatives report;
- Phase IV Implementation of the Selected Remedial Action Alternative; and
- Proposals and reports for Preliminary Response Actions such as Immediate Response Actions, Release Abatement Measures and Utility-related Abatement Measures (if necessary).

4.5 Response to Comments

DND will prepare a summary of all comments received on each document available for public comment, as well as DND's responses to those comments. A copy of this response summary will be sent to all people who submitted comments, and will be placed in the information repositories and the DEP site file. DND will also send a notice of availability of the response summary to the mailing list. The summary will be made available prior to DND implementing the remedial response action that is the subject of comments.

4.7 Public Meetings

DND will brief the public about the status of the former Lewis Chemical site during the remedial action process. Meetings will take place at the milestones listed in Exhibit II. Meetings will serve two purposes: 1) to provide community officials and the general public with a progress report regarding remedial response actions at the site, and 2) to provide an opportunity for the public to comment on remedial actions planned for the site.

DND will send notices announcing public meetings to individuals on the site mailing list. DND will prepare meeting summaries, submit the summaries to DEP, and place copies of summaries in the information repositories.

5.0 SCHEDULE FOR PUBLIC INVOLVEMENT ACTIVITIES

Exhibit II provides a schedule of the public involvement activities listed in Section 4.0. The schedule specifies the milestones when public involvement activities will be conducted, and how long the comment period will be open for.

6.0 RESPONSIBILITY FOR IMPLEMENTING THE PUBLIC INVOLVEMENT PLAN

DND has voluntarily assumed responsibility for conducting both additional site assessment and public involvement activities at the former Lewis Chemical site. DND has developed this Public Involvement Plan, and will be responsible for carrying out the activities listed in this Plan during the site assessment process. To ensure that Public Involvement Plans are implemented properly by potentially responsible parties, DEP has established an appeals process for handling disputes about public involvement at PIP sites. The appeals process is initiated when ten or more residents of the community in which the site is located or of a community potentially affected by the site submit a signed petition to the PRP and to DEP stating that the PRP is not implementing activities agreed upon in the final Public Involvement Plan. The petition must provide specific information documenting the PRP's failure to implement specific sections of the Plan.

Upon receipt of the appeal petition, the PRP must provide written confirmation of receipt to the petitioners and provide a copy of this letter to DEP. The PRP then has twenty calendar days to work with the petitioners to address their concerns. Within this 20 day period, the PRP must respond to the petitioners in writing, describing how each issue identified by the petition will be addressed. Any resulting changes in public involvement activities must be incorporated into the revised Public Involvement Plan. A twenty day public comment period must then be held on the revised Plan, in accordance with Section 7 of this Plan. Any revisions to the Plan or specific responses to the appeal petition must be copied to DEP.

If the PRP and the petitioners cannot resolve the petitioners' concerns within twenty calendar days, the petitioners must each submit written information to DEP documenting their concerns, actions taken to date to resolve the issues, and their inability to resolve the issues independently of DEP. When DEP receives this information, it will take the following actions:

1. Review the information packages to assess specific petitioner complaints, identify other community concerns, and determine what public involvement activities, as specified in the Plan, have and have not been conducted. DEP may inspect local information repositories, review notification letters, and contact members of the Notification List.
2. Determine whether the PRP has made any efforts to address community issues. This may include a review of meeting summaries, correspondence, or other formal attempts to resolve community concerns about deficiencies in public involvement activities.
3. If, based upon review of the appeal petition, DEP determines that the Public Involvement Plan is not being implemented properly, DEP may take one or more of the following actions:
 - a. Require the PRP to hire a public involvement consultant specifically to perform activities contained in the final Plan; and/or
 - b. Conduct an audit of the site to determine whether the PRP is conducting the response action in compliance with the MCP and/or the final Public Involvement Plan.

7.0 REVISIONS TO THE PUBLIC INVOLVEMENT PLAN

This Public Involvement Plan may be revised as necessary during the course of the remedial response action process. If revisions are proposed, DND will place copies of any proposed changes in the local repository, and will send a notice of availability of recommended changes to the mailing list. DND will hold a twenty-day public comment period (see Section 4.2.1 above) on the proposed revised Plan. DND will review any comments received and revise the Plan as appropriate. The final revised Plan will be placed in the information repository.

EXHIBIT I

Community Concerns About the Former Lewis Chemical

A. Concerns about the nature and extent of contamination:

- Will the risk assessment consider if the river is a vector? We must first focus on what is on the site itself (soil, groundwater). We will put a lot of focus on PCBs due to the information that was provided in the report entitled *Sediment Quality and Polychlorinated Biphenyls in the Lower Neponset River, Massachusetts, and Implications for Urban River Restoration* prepared by the US Department of the Interior and the U.S. Geological Survey. A requirement of the Phase II investigation is to define the extent of contamination on the site.
- Will your investigation include the river? If the findings of our investigation of the land lead us to the river, then we will include the river in order to define the extent of contamination. We will not duplicate work done in the river by USGS; we will utilize the data found during their investigation.

B. Concerns about routes of exposure and neighborhood health issues:

- How contaminated is the site and is the site effecting residents? Is there a higher level of concern for people living close to the site? Has the site affected the safety of the neighborhood? An Imminent Hazard evaluation was completed during the first phase of work at the site. It was determined that there is not an imminent hazard condition based on lack of exposure. The regulations require us to continually evaluate for the presence of an Imminent Hazard, so if our opinion about that changes during the Phase II the public will be notified.
- Is there evidence that contamination is flowing via the river to the site? No, contamination from upstream is not affecting this site.

C. Concerns about the site remediation process:

- I am concerned that there will be differing opinions on how “cleaned up” the site will be. How do we know that Best Management Practices will be maintained? The Licensed Site Professional (LSP) must interpret the data and render opinions about the site, so there is some interpretation involved in the process. There are different methods available to quantify the risk this site poses to human health and the environment. Under a simple Method 1 approach, the data must be compared to DEP’s published standards that are very conservative and are based on up-to-date science. If a more complicated Method 3 is used, the risk to human health will be based on

very sound scientific principals, and will be performed by skilled toxicologists. The investigation is being done with EPA grant money, so they will also be reviewing this work at various milestones. Also, two LSPs will be looking at the data and will be working together to make sure that the work is fully compliance with the Massachusetts Contingency Plan.

- What are DEP's responsibilities? DEP leaves the interpretations and decisions up to the LSP. DEP has confidence in the LSP program and believes that this process works. Also, the LSP involved with this site (Mr. Heely) is also a state contractor for DEP, which indicates an even greater level of confidence in the work performed.
- Is it possible that the land would be cleaned up but not the river? Yes, but at this time we are taking one step at a time. The City of Boston has secured funds to complete the Phase II site assessment, and that information will determine the extent of contamination at the site. At this point it is not clear who would be held responsible for cleaning up the river.
- If a Phase II Addendum is necessary, would this extend the work? Yes, it is likely that additional field work would extend the schedule.
- The process does not seem to be moving quickly enough. We have been working on many documents in preparation for doing the investigative field work. The EPA, whose grant money is funding this project, requires the preparation of a very detailed quality assurance document that we have submitted. There are several DEP required documents that we have also been working on (a Numerical Ranking System Scoresheet, Tier Classification, Tier I Permit Application, a Phase I Addendum, and a Phase II Scope of Work). The PIP designation has also required additional work. The project is a very complicated one in that the site was a former chemical company that also took in chemical wastes from other companies. The site is comprised of two separately owned properties, the City of Boston and the state's Department of Conservation and Recreation. We are working with DCR now to gain access to their property. The project is moving forward, and we expect to start the field work in May.
- What will be done to clean up the site and what will the timeline be? The Phase II Investigation will help us to better understand the conditions on the site, and what the potential risks are to human health and the environment. The Phase II is an eight month process, so we expect to be presenting our findings of the Phase II next winter. The next step will be an evaluation of clean up options, which is primarily a paper exercise that may take several months to complete.
- How much clean up is needed and who will pay for it? Again, the Phase II investigation will help us to understand the conditions at the site and how much clean up is needed. The ultimate reuse of the site will also determine how much clean up is needed. The City of Boston is currently using a grant to pay for the work being done now.

D. Concerns about opportunities for public involvement during the remedial response action process:

- If there is a Phase II Scope of Work Addendum, would it be presented at the public meeting planned for the Winter of 2006 at the completion of the Phase II work? If a Phase II Scope of Work Addendum is necessary, it would likely be developed this summer or fall, and would be subject to the same public comment process as other Phase documents before being submitted to DEP. If an addendum is necessary, we would prefer to do that work and incorporate the findings into the Phase II report.

E. Other Concerns:

- Can the Tier Classification change over the course of the Risk Assessment? The ranking can change during the course of the Phase II if new information is revealed. The initial ranking, however, is used in the permitting process and mostly relates to fees.
- Would this site fall under the environmental justice program? The Environmental Justice policy is administered through the MA Executive Office of Environmental Affairs (EOEA). The Policy focuses EOEAs resources to service high-minority/low-income neighborhoods where residents are likely to be unaware of, or unable to participate in environmental decision making. Given that the Lewis Chemical site is being managed by the City of Boston, and given the level of public involvement, this site would not likely qualify for Environmental Justice funds. More information on the Policy can be found at <http://www.mass.gov/envir/ej/default.htm>.
- Does the State's "Master Plan" include this part of the river? Information on the State's Master Plan for the Lower Neponset River is found on the Department of Conservation and Recreation's website located at http://www.mass.gov/mdc/NEP_PLAN.HTM.
- What is USGS doing now? We understand that the USGS is performing an additional study now, and we will look into the details of this study to see how it may be useful in our evaluation of the Lewis Chemical site.
- What are practical re-use plans for the site? Redevelopment options for the site have been, and will continue to be discussed with the community.
- How does contamination affect fish in Boston Harbor, and what is the ecological impact to the river? At this time we have no evidence that the Former Lewis Chemical site has impacted the river; however, the current USGS study will likely address these questions.

EXHIBIT II
Schedule for Public Involvement Activities for the Former Lewis Chemical

Activity	Description	Timeframe
Public Meeting	Presentation of Draft Public Involvement Plan; Phase I Addendum; Numerical Ranking System Scoresheet and Tier Classification; Tier I Permit Application; Phase II Scope of Work. All draft documents listed above are made available to the public via information repositories at DEP, the Hyde Park Branch of the Boston Public Library and on DND's website.	April 5, 2005
Public Comment Period	Public submits comments to DND.	April 5- April 25, 2005
Information Submitted to Repositories and Notification of Availability issued	Public is notified that finalized versions of the documents listed above as well as public comment response summaries have been submitted to the information repositories.	By May 25, 2005
<i>Phase II Field Investigation is expected to run from May 2005 through early 2006.</i>		
Public Meeting	Presentation of Draft Phase II Report. Draft Phase II Report made available to the public via information repositories.	Early 2006
Public Comment Period	Public submits comments to DND.	20 Day period

Activity	Description	Timeframe
Information Submitted to Repositories and Notification of Availability issued	Public is notified that final version of the Phase II Report and public comment responses have been submitted to the information repositories.	
<i>Phase III Development of Remedial Action Alternatives is prepared early in the spring of 2006. *** These activities are not currently funded. The following demonstrates a typical schedule.</i>		
Public Meeting	Presentation of Draft Phase III Report. Draft Phase III Report available to the public via information repositories.	Late Spring 2006
Public Comment Period	Public submits comments to DND.	20 Day period
Information Submitted to Repositories and Notification of Availability issued	Public is notified that final version of the Phase III Report and public comment responses have been submitted to the information repositories.	
<i>To Be Determined: Phase IV Implementation of Approved Response Alternatives.</i>		